

## REMARKS

Applicants respectfully request reconsideration of this application as amended. Claims 1, 39, and 75 have been amended without prejudice to present the claims in better form for allowance and for possible consideration on appeal. Applicants respectfully request the Examiner to accept the proposed amendments. Claim 35 has been cancelled without prejudice. No new claims have been added. Therefore, claims 1-19, 21-34, 36-68 and 75 are now are presented for examination.

### Claim Objections

Claim 37 is objected to by the Examiner because claim 37 is a duplicate of claim 35. Claim 35 has been cancelled. As such, the Applicants requests the Objection be removed.

### 35 U.S.C. § 103 Rejection

Claims 1-4, 23-25 and 34-38 stand rejected under 35 U.S.C. §103(a), as being unpatentable over U.S. Patent No. 6,636,502 of Lager, et al. (hereafter “**Lager**”). Applicants respectfully disagree with the Examiner that these claims are unpatentable over Lager.

Lager generally relates to “[a] switching device in a mobile radio communication system which supports a GPRS-network [and is allowed] to connect a terminal station of the mobile radio communication network with one of a plurality of packet data communication networks.” (Abstract). Lager further discloses a “switching device [that] . . . contains a reception means for receiving the network indication parameter NIP indicating the predetermined packet data communication network from the first terminal

station of the PLMNs.” (col. 12, lines 50-54; emphasis provided).

Claim 1 as amended expressly recites that “a simplified protocol structure eliminating unnecessary intermediate protocols layers.” The Examiner has indicated on Pages 20 and 21 of the outstanding Office action that “[s]ince one protocol exists between GPRS-MS and PLMN-SW, and another protocol between PLMN-SW and PDN, a simplified protocol is performed between the devices.” In addition, the Examiner indicated that “a simplified protocol structure has not been defined within the claims.” Claim 1 has been amended to more clearly define the meaning of a simplified protocol structure as illustrated on, at least, page 13 and Figure 4 of the present application.

The Applicants can find no disclosure, teaching, or reasonable suggestion of a “a simplified protocol structure eliminating unnecessary intermediate protocols layers” in Lager. Consequently, claim 1 and its dependent claims are believed to be distinguishable over Lager for at least this reason.

Various dependent claims have been rejected based on the combination of one or more of U.S. Patent Publication No. 2003/0053444 Swartz, et al. (hereafter “Swartz”), U.S. Patent Publication No. 2003/0007625 of Pines., et al. (hereafter “Pines”), and U.S. Patent No. 6,418,324 of Doviak (hereafter “Doviak”) with Lager. However, these references do not teach “a simplified protocol structure eliminating unnecessary intermediate protocols layers.” Consequently, the dependent claims are believed to be allowable even in view of these references.

Claims 39-48, 50-52, 54, 57-68 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Lager in view of Pines and U.S. Patent No. 6,775,549 of Benveniste, et al. (hereafter “Benveniste”). Claim 39 has also been amended to expressly recite “a simplified protocol structure eliminating unnecessary intermediate protocols layers.” The

Applicants can find no disclosure, teaching, or reasonable suggestion of this expressly recited element in any of Lager, Pines, and/or Benveniste. Consequently, claim 39 and its dependent claims are believed to patentable over the references for at least this reason.

Claims 49 and 53 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Lager, Pines and Benveniste as applied to claim 39, and further in view of U.S. Patent No. 6,333,919 of Gaffney, et al.(hereafter “Gaffney”). However, the Applicants can find no disclosure, teaching or reasonable suggestion of “a simplified protocol structure eliminating unnecessary intermediate protocols layers” in Gaffney. Consequently, Lager, Pines, Benveniste and Gaffney do not teach all of the elements of claims 49 and 53. Consequently, for at least this reason, these claims are believed to be patentable over the combination of Lager, Pines, Benveniste and Gaffney.

### **Conclusion**

In light of the foregoing, reconsideration and allowance of the claims is hereby earnestly requested.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.


### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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